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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/376.651	08/18/99	AOYAMA	N JA9-98-073

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EXAMINER

CONE.D

ART UNIT

PAPER NUMBER

2854

5

DATE MAILED:

12/15/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/376,651

Applicant(s)  
Noboru Aoyama

Examiner  
Darius N. Cone

Group Art Unit  
2854



☒ Responsive to communication(s) filed on Aug 18, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakabayashi et al (5,746,426).

With respect to claim 1, Nakabayashi et al. teaches a feed path including a roller of non-circular cross section (see Figs 10a-d). Nakabayashi et al. also teaches a roller portion (30) rotatably connected with a shaft (43) via a frame (33). Feed roller (30) is normally stationary in a state wherein low-friction member (40) is in contact with the surface of the medium. When the frictional force generated on the medium is increased, feed roller (30) oscillates over shaft (38) of Fig. 6 and excellent paper feeding is achieved due to contact below the low-friction member (40). Nakabayashi et al. also teaches of a drive shaft (34), supported by the frame (33) which rotates via recognition of the uppermost sheet of a paper stack in the paper loading panel (50) so that the uppermost sheet is transported with the roller section (30b). It would have been obvious to modify the teachings of Nakabayashi et al. to try an increase the frictional coefficient generated on

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a medium for smoother sliding sheets in contact with a feed roller and to decrease blotting and wrinkling of the medium.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The applicant's attention is invited to the patent Hatanaka (US patent # 5,954,328) and Yergenson (US patent #5,630,583).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Darius Cone whose telephone number is (703) 308-1061. The examiner can normally be reached daily between the hours of 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten, can be reached on (703) 308-0719. The fax phone number for this Group is (703) 308-5841.

Any inquire of a general nature or relating to the status of the application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

DNC

December 3, 1999

  
JOHN S. HILTEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800